DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Food and Drug Administration
Rockville MD 20857

MAY 16 2007

Re: Chantix
Docket No.: 2007E-0010

The Honorable Jon Dudas
Undersecretary of Commerce for Intellectual Property
Director of the United States Patent and Trademark Office
Mail Stop Hatch-Waxman PTE
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Director Dudas:

This is in regard to the application for patent term extension for U.S. Patent No. 6,410,550, filed by Pfizer, Inc., under 35 U.S.C. section 156 et seq. We have reviewed the dates contained in the application and have determined the regulatory review period for Chantix (varenicline tartrate), the human drug product claimed by the patent.

The total length of the regulatory review period for Chantix (varenicline tartrate) is 2,401 days. Of this time, 2,219 days occurred during the testing phase and 182 days occurred during the approval phase. These periods of time were derived from the following dates:

1. The date an exemption under subsection 505(i) of the Federal Food, Drug, and Cosmetic Act involving this drug product became effective: October 15, 1999.

   The applicant claims September 15, 1999, as the date the investigational new drug application (IND) became effective. However, FDA records indicate that the IND effective date was October 15, 1999, which was thirty days after FDA receipt of the IND.

2. The date the application was initially submitted with respect to the human drug product under section 505 of the Federal Food, Drug, and Cosmetic Act: November 10, 2005.

   FDA has verified the applicant's claim that the new drug application (NDA) for Chantix (varenicline tartrate) (NDA 21-928) was initially submitted on November 10, 2005.

3. The date the application was approved: May 10, 2006.

   FDA has verified the applicant's claim that NDA 21-928 was approved on May 10, 2006.

This determination of the regulatory review period by FDA does not take into account the effective date of the patent, nor does it exclude one-half of the testing phase as required by 35 U.S.C. section 156(c)(2).

Please let me know if we can be of further assistance.

Sincerely yours,

Jane A. Axelrad

Jane A. Axelrad
Associate Director for Policy
Center for Drug Evaluation and Research

cc: A. David Joran
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